

EXHIBIT “D”
(3 pages)

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,)
in his capacity as the)
TRUSTEE FOR NATURAL RESOURCES)
FOR THE STATE OF OKLAHOMA,)

Plaintiff,)

vs.)

) 4:05-CV-00329-TCK-SAJ

TYSON FOODS, INC., et al,)

Defendants.)

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VOLUME I OF THE VIDEOTAPED
DEPOSITION OF ROGER OLSEN, PhD, produced as a
witness on behalf of the Defendants in the above
styled and numbered cause, taken on the 10th day of
September, 2008, in the City of Tulsa, County of
Tulsa, State of Oklahoma, before me, Lisa A.
Steinmeyer, a Certified Shorthand Reporter, duly
certified under and by virtue of the laws of the
State of Oklahoma.

1 by unrealistic. I assume you mean they're different
2 than what I have here.

3 Q Sure, but not just slightly different, but
4 substantially different?

5 A Okay, yeah, they would change these numbers. 02:12PM
6 The more the difference, the more they would change.

7 Q And so, for example, if the cattle
8 contribution of manure to the Illinois River
9 watershed was a million tons instead of 350 -- I'm
10 sorry, 319,000 tons, what would that do to the 02:13PM
11 percentages that you express in the table on Page
12 6-12?

13 A The cattle contribution percentages would go
14 up if the poultry percent -- if the poultry tons
15 stayed the same. 02:13PM

16 Q Where did Dr. Engel get the 319,000 tons of
17 cattle manure estimate?

18 A There's an estimate in one of his appendix. I
19 don't remember the details of how he got that.

20 Q Did you investigate that at all or did you 02:13PM
21 just take Dr. Engel at his word?

22 A I used his word for that.

23 Q All right. Now, what's the next step in your
24 calculation? Once you start with the assumed amount
25 of manure from these two sources, what did you do 02:13PM

1 next?

2 A You have to put those manures on the same
3 basis so they were -- the poultry waste had to be
4 corrected for the dry weight, which was the same as
5 the 319,000 tons of cattle waste that Dr. Engel
6 reported. That was dry weight. So I converted the
7 poultry weight to dry weight by using the moisture
8 content from our analysis of poultry waste that we
9 collected in the basin.

02:14PM

10 Q What did you get as the dry weight of poultry
11 litter after you converted it?

02:14PM

12 A I'd have to go look at the spreadsheet.

13 Q It would be less than 354?

14 A Yes.

15 Q Okay. So the 354,000 tons is a wet weight
16 number; is that right?

02:14PM

17 A Yeah, it's as disposed, wet weight or whatever
18 it is as disposed. I mean, it isn't -- it doesn't
19 have a lot of moisture in it. You know, this stuff
20 is pretty -- doesn't have a lot of moisture content
21 when it's disposed, but to make it comparable, I had
22 to do that correction.

02:14PM

23 Q Okay. What did you do after you converted the
24 poultry litter number to dry weight?

25 A We actually took the results in

02:15PM